

R E M A R K S

1. Reconsideration and further prosecution of the above-identified application are respectfully requested in view of the discussion that follows. Claims 1-55 are pending in this application. Claims 4-5, 7-10 and 15 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Claims 1-3, 8, 11, 15-22, 27, 34, 34-40, 45, 48 and 52-55 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,094,673 to Dilip et al. Claims 1-5, 8, 18-24, 27, 37-42 and 45 have been rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 5,838,682 to Dekelbaum et al. in view of U.S. Patent No. 6,130,933 to Miloslavsky and U.S. Patent No. 6,046,762 to Sonesh. Claims 6-7, 25-26 and 43-44 have been rejected under 35 U.S.C. §103(a) as obvious over Dekelbaum, Sonesh, Miloslavsky in view of U.S. Patent No. 5,657,383 to Gerber. Claims 9-17, 28-36 and 46-55 have been rejected under 35 U.S.C. §103(a) as being obvious over Dekelbaum, Sonesh, Miloslavsky in view of U.S. Patent No. 5,884,032 to Bateman et al. Claims 4-7, 9-10, 12-14, 23-26, 28-29, 31-33, 41-44, 46-47 and 49-51 have been rejected under 35 U.S.C. §103(a) as being obvious over Dilip et al. After a careful review of the claims (as amended), it has been

concluded that the rejections are in error and the rejections are, therefore, traversed.

2. In the Office Action of October 23, 2000, claims 4-5, 7-10 and 15 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In response, the claims have been amended to eliminate any indefiniteness.

3. In the Office Action of October 23, 2000, claims 1-3, 8, 11, 15-22, 27, 34, 34-40, 45, 48 and 52-55 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,094,673 to Dilip et al. In response, an affidavit under 37 CFR §1.131 from Michael C. Hollatz is included with this amendment establishing that reduction to practice of the claimed invention occurred by at least November 18, 1997. Since reduction to practice occurred by at least November 18, 1997 (before the filing date of Dilip et al.), Dilip et al. is not prior art to the claimed invention. Since Dilip is not prior art, the rejection under Dilip et al. is improper and should be withdrawn.

4. In the Office Action of October 23, 2000, claims 1-5, 8, 18-24, 27, 37-42 and 45 were rejected as being anticipated by Dekelbaum. In particular, the Examiner asserted that "

Dekelbaum discloses a method for establishing an audio path between an Internet user accessing a web site and an agent of the web site . . . However, Dekelbaum does not show the steps of detecting an activation of an audio access icon of plurality of icons; determining an overall type of question associated with each audio icon from a context of prior interactions between the Internet user and the web site; selecting an agent with a best relative ability to answer the determined type question based upon a skill list for the agent group and establishing a voice path using IP telephony between the internet voice plug-ins of user and an agent of the associated agent group based upon activation of an audio-access icon by the user . . . Miloslavsky discloses the steps of detecting an activation of an audio access icon of plurality of icons; determining an overall type of question associated with each audio icon from a context of prior interactions between the Internet user and the web site; selecting an agent with a best relative ability to answer the determined type of question based upon a skill list for the agent group (col. 6, lines 7-45, a user clicks on the icon, his computer transmits an HTML page and user's information to call center which selects an agent based on the predetermined criteria such as HTML document that the Internet user saw before clicking on the icon) and Sonesh discloses a well-known method for establishing a voice path using IP telephony between the Internet voice plug-ins of user and an agent of the associated agent group based upon activation of an audio-access icon by the user . . . it would have been obvious . . . to apply the teaching of Sonesh and Miloslavsky such as determining routing path between the client and a skill agent in order to establish a IP telephony via Internet into Dekelbaum's communication system".

It is noted first, that the claims are now drawn to method steps (and apparatus) for "providing the web site with a plurality of audio access icons . . . determining an overall type of problem associated with the activated audio access icon from an information content of the respective web page of the activated audio access icon . . . selecting an agent of the plurality of agents with a best relative ability to answer the determined type of question". The Examiner, in effect, has admitted that Dekelbaum fails to teach or suggest these limitations.

Further, the Examiner appears to be correct in this viewpoint. For example, Dekelbaum relies on the use of hyperlinks 230. A hyperlink is defined by Newton's Telecom Dictionary (15th Ed.) as "A link from one part of a page on the Internet to another page". Further, this definition is entirely consistent with the use in Dekelbaum where activation of the hyperlink causes a web browser of a user to "request and retrieve a second resource from Internet server 102" (Dekelbaum, col. 12, lines 12-14).

In contrast, an icon is defined by Newton's as "a picture or symbol representing an object, task, command or choice you can select from a piece of software". Further, the

specification uses the term entirely consistently with the definition. More specifically, the specification describes (page 9, line 16 to page 10, line 18) operation of an application 24 which functions to assign an agent in response to activation of an audio access icon 62. Since the Dekelbaum hyperlink is entirely different than the claimed audio access icon, the Examiner is correct in his view that Dekelbaum does not involve the use of audio access icons or selecting an agent with the best relative ability to answer the determined type of question associated with an activated icon.

Miloslavsky also fails to teach or suggest selecting an agent with a best relative ability to answer the determined type of question, or of the use of a plurality of icons. For example, selecting an agent with a best relative ability to answer a determined type of question is different than simply selecting "an available service agent in accordance with predetermined criteria (e.g., availability of agents, previous interaction between a certain agent and customer site 104" (Miloslavsky, col. 6, lines 33-36). The former assures the selection of an agent with a minimum skill level based an information content of the web page of the activated icon. The latter simply relies upon

chance or familiarity with the Internet user as a means of ensuring the user of a qualified agent.

The fact that Miloslavsky does not use a plurality of icons is reflected in the fact that Miloslavsky shows (FIG. 1) and describes (col. 6, lines 7-45) only a single select button 118. The provision of a single button 118 and transferring of an HTML document previously viewed by the Internet user to an assigned agent, as under Miloslavsky certainly can not be taken to teach or suggest determining an overall type of question associated with the activated audio access icon from an information content of the web page.

Sonesh also fails to teach or suggest determining an overall type of question associated with the activated audio access icon from an information content of the web page of the web site. Since Dekelbaum, Miloslavsky and Sonesh all fail to teach or suggest this limitation, the combination is also deficient in this regard.

Further, since the combination does not teach each and every element, as required by MPEP §2143.03, the combination fails to make the prima facie case of obviousness. Since the prima facie case of obviousness has not been made, the rejection is improper and should be withdrawn.

5. Claims 6-7, 25-26 and 42-44 have been rejected as obvious over Dekelbaum, Sonesh, Miloslavsky and Gerber. However, Gerber suffers from the same deficiency as Dekelbaum, Sonesh and Miloslavsky. More specifically, Gerber also fails to teach or suggest the use of a plurality of icons or determining an overall type of question associated with the activated audio access icon form an information content of the web page of the web site. Since Dekelbaum, Miloslavsky, Sonesh and Gerber all fail to teach or suggest this essential element, the combination is also deficient in this regard.

Further, since the combination does not teach each and every element, as required by MPEP §2143.03, the combination fails to make the prima facie case of obviousness. Since the prima facie case of obviousness has not been made, the rejection is improper and should be withdrawn.

6. Claims 9-17, 28-36 and 46-55 have been rejected as being obvious over Dekelbaum, Sonesh, Miloslavsky and Bateman. However, Bateman suffers from the same deficiency as Dekelbaum, Sonesh and Miloslavsky. More specifically, Bateman also fails to teach or suggest the use of a plurality of icons or determining

an overall type of question associated with the activated audio access icon form an information content of the web page of the web site. Since Dekelbaum, Miloslavsky, Sonesh and Bateman all fail to teach or suggest this essential element, the combination is also deficient in this regard.

Further, since the combination does not teach each and every element, as required by MPEP §2143.03, the combination fails to make the prima facie case of obviousness. Since the prima facie case of obviousness has not been made, the rejection is improper and should be withdrawn.

7. Claims 4-7, 9-10, 12-14, 23-26, 28-29, 31-33, 41-44, 46-47 and 49-51 have been rejected as being obvious over Dilip et al. However, Dilip et al. is not prior art, as demonstrated above. Since Dilip et al. is not prior art, the rejection is improper and should be withdrawn.

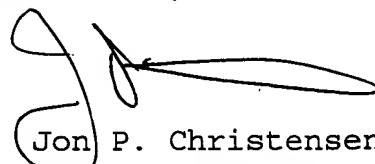
8. For the foregoing reasons, allowance of claims 1-55 as now presented, is believed to be in order and such action is earnestly solicited. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject

application, he is respectfully requested to telephone
applicant's undersigned attorney.

Respectfully submitted,

WELSH & KATZ, LTD.

By

A handwritten signature in black ink, appearing to read "Jon P. Christensen". The signature is written over the printed name.

Jon P. Christensen

Registration No. 34,137

April 10, 2001

WELSH & KATZ, LTD.


120 South Riverside Plaza

22nd Floor

Chicago, Illinois 60606

(312) 655-1500

MARKED-UP CLAIMS



1. A method of establishing an audio call path between an Internet user accessing a web site and an agent of a plurality of agents associated with the web site, such method comprising the steps of:

providing the web site with a plurality of audio access icons each disposed on a respective web page of the web site [and a plurality of agents];

detecting activation of an audio access icon of the plurality of icons by the Internet user;

determining an overall type of question associated with the activated audio-access icon from an information content of the web page of the activated audio access icon [a context of prior interactions between the Internet user and the web site];

selecting an agent of the plurality of agents with a best relative ability to answer the determined type of question based upon a skills list for the plurality of agents; and

establishing a voice path using IP telephony between Internet voice plug-ins of the user and the selected agent.

4. The method as in claim 1 wherein the step of associating an agent group with each icon further comprises correlating a training level of [an] the agent group of the plurality of agent groups with [an information content] the subject matter of [an] each audio-access icon [of the at least some web pages].

5. The method as in claim 1 wherein the step of establishing a[n] call path between the user and an agent

of the associated agent group based upon activation of an audio-access icon further comprises placing an Internet address of the user in a[n] call queue of the associated group until [a next available] the agent becomes available.

7. The method as in claim 6 further comprising comparing the measured time with a threshold value and overflowing the user to a queue of another agent group of the plurality of agent groups when the measured time exceeds the threshold.

8. The method as in claim 1 further comprising selecting the agent of the established voice path from the associated agent group.

9. The method as in claim 8 wherein the step of establishing a[n] call path between the user and [an] the agent of the associated agent group based upon activation of [a] the audio-access icon further comprises transferring an Internet address of the selected agent to the user.

10. The method as in claim 8 wherein the step of establishing a[n] call path between the user and [an] the agent of the associated agent group based upon activation of [a] the audio-access icon further comprises transferring an Internet address of the user to the selected agent of the associated agent group.

15. The method as in claim 11 further comprising transferring the collected information from the user and an identifier of the [selected] agent of the associated agent

group to a database of the web site [and plurality of agent groups].

18. A method of servicing an inquiry from a user through the Internet, such method comprising the steps of:

providing a web site with a plurality of audio access icons and at least some web pages with an audio access icon of the plurality of audio access icons associated with each web page of the at least some web pages;

associating an agent group with a subject matter of each audio-access icon of each of the at least some web pages;

detecting an activation of an audio-access icon of the plurality of icons by the user;

determining a type of problem associated with the activated audio-access icon from an the subject matter of the activated audio access icon [a context of prior interactions between the Internet user and the web site];

selecting an agent with a best relative ability to address the problem based upon the determined type of problem and a skills list for the agent group; and

providing an call path using IP telephony between Internet voice plug-ins of the user and the selected agent of the associated agent group.

19. A method of servicing an inquiry from a user through the Internet, such method comprising the steps of:

providing a web site with a plurality of web pages for access by the user;

providing an audio-access icon on at least some web pages of the web site;

associating an agent group with the at least some web pages;

detecting activation by the user of an audio access icon provided on the at least some web pages;

determining a type of problem associated with the activated audio-access icon from an information content of the web page of the activated audio access icon [a context of prior interactions between the Internet user and the web site];

selecting an agent with a best relative ability to address the determined type of problem based upon a skills list for the agent group; and

providing an call path using IP telephony between Internet voice plug-ins of the user and the selected agent of the associated agent group.

20. Apparatus for establishing an audio call path between an Internet user accessing a web site and an agent of a plurality of agents associated with the web site, such apparatus comprising:

means for providing a web site with a plurality of audio access icons each disposed on a respective web page of the web site [and a plurality of agent groups];

means for associating an agent group of the plurality of agent groups with a subject matter of each audio-access icon of the web site;

detecting activation of an audio access icon of the plurality of icons by the Internet user;

determining a type of problem associated with the activated audio-access icon from an information content of the web page of the activated audio access icon [a context

of prior interactions between the Internet user and the web site];

selecting an agent with a best relative ability to address the determined type of problem based upon a skills list for the agent group; and

means for establishing a call path using IP telephony between Internet voice plug-ins of the user and the selected agent of the associated agent group.

37. Apparatus for establishing an audio call path between an Internet user accessing a web site and an agent of a plurality of agents associated with the web site, such apparatus comprising:

a web site with a plurality of audio access icons and a plurality of agent groups;

a call distribution controller operably coupled to the web site which associates an agent group of the plurality of agent groups with a subject matter of each audio-access icon of the web site;

detecting activation of an audio access icon of the plurality of icons by the Internet user;

determining a type of problem associated with the activated audio-access icon from an information content of the respective web page of the activated audio access icon [a context of prior interactions between the Internet user and the web site];

selecting an agent of the agent group associated with the activated icon with a best relative ability to address the problem based upon the determined type of problem and a skills list for the agent group; and

a local area network which establishes a call path using IP telephony between Internet voice plug-ins of the user and the selected agent of the associated agent group.